

AGENDA
PERSONNEL BOARD MEETING
JULY 8, 2016, 9:30 A.M.

1. Call to Order
2. Reading of the Minutes of Regular Meeting held June 14, 2016
Minutes Signed
3. Executive Director and Secretary's Report
4. Report of the Personnel Cabinet
5. **Motions**
 - A. **Patrick Wise (2011-201) v. KET & Personnel Cabinet**
 - Motion for Attorney's Fees and Other Relief Allowing Patrick Wise and the Estate of Patrick Wise to be Made Whole
 - Personnel Cabinet's Response to Motion for Attorney Fees
 - KET's Response to Appellant's Motion for Attorney Fees
 - B. **Mark A. Holt (2011-198) v. KET & Personnel Cabinet**
 - Motion for Extension of Time to File Appellant Mark Holt's Exceptions
 - Appellee KET Response to Appellant Holt's Motion for Extension of Time
 - *** --Appellant's Marc Holt's Supplemental Memorandum in Support of Reversal of the Recommended Order (**Tendered**)
 - C. **Megan Maynard v. Finance and Administration Cabinet (15-45)**
 - Appellant's Motion to Seal Record
 - Appellee's Response to Appellant's Motion to Seal
6. **Oral Arguments**
 - A. **Mark A. Holt (2011-198), Robert A. Pickering (2011-200), Patrick Wise (2011-201), and Trasimond Soileau (2011-233) v. KET & Personnel Cabinet**
(Holt, Wise, Soileau & KET Requested Oral Argument)
 - B. **Robert Johnson v. Cabinet for Health and Family Services (2015-282)**
(Appellant's Request)
7. **Closed Session**
8. **Open Session**

9. **Cases to be Decided**

- A. **Mark A. Holt (2011-198), Robert A. Pickering (2011-200), Patrick Wise (2011-201), and Trasimond Soileau (2011-233) v. KET & Personnel Cabinet**
(Terminations – Unclassified Employees – Discrimination & Retaliation–
Dismissed (Holt & Pickering) and Sustained to the Extent of Partial Settlement
(Wise & Soileau) Otherwise Dismissed (Soileau), Otherwise Sustained to the
Extent (Wise)
--Appellant Holt Exceptions & Request for Oral Argument
--Appellants Soileau and Wise Exceptions & Request for Oral Argument
--Appellee KET Exceptions and Request for Oral Argument
--KET's Response to Appellant's Exceptions
--Appellants', Wise and Soileau, Response to KET's Exceptions
--Appellants' Wise and Soileau, Corrected and Supplemental Response
to KET's Exceptions
- B. **Robert Johnson v. Cabinet for Health and Family Services (2015-282)**
(Suspension – Lack of Good Behavior and Unsatisfactory Performance of
Duties – Dismissed)
--Appellant's Exceptions and Request for Oral Argument
--Appellee's Response
- C. **Gary Wise v. Education and Workforce Development Cabinet (2015-079)**
(Reclassification – Sustained)
--Appellee's Exceptions
--Appellant's Response
--Appellant's Corrected Response
Deferred from June Board
- D. **Karey Cooper v. Cabinet for Health and Family Services (2015-288)**
(Suspension – Untimely Filed – Dismissed)
- E. **Jerry Foster, II v. Transportation Cabinet (2015-199)**
(Dismissal – Initial Probation – Dismissed)
- F. **Megan Maynard v. Finance and Administration Cabinet (15-45)**
(Harassment – Hostile Work Environment – Dismissed)
- G. **Jessica L. Nichols v. Cabinet for Health and Family Services (2016-003)**
(Dismissal – Disability Discrimination – Dismissed)
- H. **Ronald C. Nunemaker v. Department of Corrections**
(Appeal Nos. 2015-219, 2015-258, 2015-268 and 2015-269)
(Two Suspensions – Misconduct; Written Reprimand; Discrimination and Hostile
Work Environment – Dismissed)

I. **Walter R. Rafferty v. Justice and Public Safety Cabinet/Corrections (2015-298)** (Suspension – Poor Work Performance – Dismissed)

--Appellant's Exceptions

--Appellee's Response

10. **Show Cause Orders – Response Filed – Appeals Dismissed**

A. Walter Ivey v. Kentucky Board of Nursing (2016-033)

B. Walter Ivey v. Tourism, Arts and Heritage Cabinet, State Fair Board (2016-030)

11. **Show Cause Orders – No Response Filed – Appeals Dismissed**

A. Neil Terry v. Cabinet for Health and Family Services (2016-53)

B. Tezra M. Gause v. Cabinet for Health and Family Services (2016-006)

12. **Withdrawals**

A. Camron Cafego v. Personnel Cabinet (2016-076)

*** B. Adela Mrkulic v. Education and Workforce Development Cabinet (2016-100)

13. **Settlements**

A. Nathan Aseltine v. Department of Corrections (2016-022)

B. Angela Wilkerson v. Department of Veterans Affairs (2016-085)

*** C. James J. Etheridge v. Transportation Cabinet (2016-001)

14. **Other**

*** Approval of annual increments for Executive Director and General Counsel